IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

WP(C).No. 26887 of 2007(A)

PETITIONER:

REGHU MADATHIL, MADATHIL HOUSE,
PARIMANAM, NEENDAKARA.

BY ADV. SRI.P.B.SAHASRANAMAN
SRI.K.JAGADEESH
SRI.T.S.HARIKUMAR

RESPONDENTS:

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1. NEENDAKARA GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, NEENDAKARA P.O.

2. KERALA COASTAL ZONE MANAGEMENT
AUTHORITIY, REPRESENTED BY ITS CHAIRPERSON,
SASTHRA BHAVAN, THIRUVANANTHAPURAM.

3. GOVERNMENT OF KERALA, REPRESENTED BY
ITS SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

4. UNION OF INDIA,
MINISTRY OF ENVIRONMENT AND FORESTS,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
PARYAVARAN BHAVAN, NEW DELHI.

*5. VIKRAMA KUMAR
S/O. VASUDEVAN NAIR
AGED 48 YEARS,
"ATHAM", KOLLAM – 9

ADDL. 5TH RESPONDENT IS IMPLEADED AS PER ORDER IN I.A. 13844/07 DT. 22.10.07

BY GOVT. PLEADER SRI. K.J.MOHAMMED ANZAR
ADV. SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR
SRI.M.SASINDRAN FOR R1
SRI.P.GOPINATHA MENON FOR R5

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C). NO. 26887 OF 2007

Dated this the 30th day of November, 2007

J U D G M E N T

It is submitted by Sri. P.B.Sahasranaman, learned counsel for the petitioner, that pursuant to the interim order passed by this Court that the building in question has been provisionally numbered. It is not seriously in dispute that the 2nd respondent authority authority has to decide whether the building has been constructed in violation of the coastal zone regulations. The 2nd respondent authority is directed to take a decision on Ext.P3 after hearing the petitioner and also the additional 5th respondent as well as the 1st respondent Panchayat. While taking a decision on the question as to whether the building put up by the petitioner violates the coastal zone regulations, the 2nd respondent will have due regard to the CRZ notification. The numbering of the building, which is permitted by this court under the interim order dated 11.9.07, will be subject to the decision thus taken by the 2nd respondent. The 2nd respondent shall take a decision at the earliest and at any rate within three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

PIUS C. KURIAKOSE, JUDGE

vps